

BOARD OF SELECTMEN

August 25, 2009
Minutes

The Board of Selectmen met on Tuesday, August 25, 2009 in the Town Hall Clark Room. Those present were Selectmen Timothy F. Hult, Douglas A. G. Stevenson, and Peter Scavongelli. Town Administrator Madonna J. McKenzie was also present. Mr. Williams and Mr. Tice were not present tonight due to vacation plans.

Mr. Hult spoke briefly about the recent activities that had occurred over the weekend at Town Hall which were the installation of the new carpet and the replacement of a water pump.

Town Administrator Report

Mrs. McKenzie said that Angela Mollet, Director of the Gleason Library was present to give the Board an update on the restoration and repairs at the Library. Angela said the BRIC (Building Restoration Implementation) committee has completed the design phase and is nearing completion of the public bid process. She said the Trustees met with the Historical Commission in July. The project was given their approval. The Trustees also met with the Conservation Commission on August 13th with a request for determination, due to the fact that the proposed work takes place within the buffer zone of the wetlands. Angela said Stamski & McNary and the Architects were present at that meeting to answer questions from the Conservation Commission. ConsCom determined that the work, as defined by regulation, did not require a filing of a Notice of Intent. Angela said Town Counsel has been active in this entire process. She said the only thing left is awarding the construction contract. Angela said they are hoping to complete the project within ninety days after the contract is awarded. She said the contract is in the hands of Town Counsel right now. The Board asked a few questions about the budget. Angela said they are well within their budget.

Mrs. McKenzie said the Board is in receipt of a letter from Mr. Yongdeng Chen. In the letter Mr. Chen, who has met previously with the Board, outlined the progress he has made on his LIP Proposal. Mr. Hult said he would like to talk with David Freedman chair of the Planning Board to see where we are on the issues so we can help Mr. Chen.

Mrs. McKenzie received a request from the Concord Carlisle Community Chest to hold a Board Meeting and their Annual meeting in Town Hall. In response to Mr. Scavongelli, Mrs. McKenzie explained that because they are not a Town Board, it is necessary for the Board of Selectmen to approve their use of Town Hall for meetings. On a motion made by Mr. Stevenson and seconded by Mr. Scavongelli, it was **Voted 3-0** to approve the use of the Clark room on October 14, 2009 from 7:00 p.m. to 9:00 p.m. and on Wednesday, November 4th from 6:30 to 9:30 p.m. by the Concord Carlisle Community Chest for their Board meeting and Annual meeting.

Mrs. McKenzie spoke about a copy of a letter that was provided by Fire Chief David Flannery from the Concord Fire Department, thanking the Town of Carlisle for their assistance with a two alarm house fire on July 7, 2009 in Concord. Mrs. McKenzie said this is part of the mutual aid and it attests to the fact that the communities work together.

Mrs. McKenzie said she received a request from the Carlisle Amateur Radio Operators to use Town Hall for their meetings. Mrs. McKenzie explained they would like to meet with the Police Chief, Fire Chief and their counter parts from Concord in our Town Hall. On a motion made by Mr. Stevenson and seconded by Mr. Scavongelli, it was **Voted 3-0** to approve the use of the Town Hall for the meeting of the HAM operators group for the purpose of developing their plan as it relates to supporting the Emergency Communications.

Mr. Hult spoke about the outstanding work by the Police relative to a recent house break-in matter. A letter will be sent thanking them for their outstanding work.

Process for the Town Administrator Public Interview

Mr. Hult circulated information relative to the Town Administrator Interview process on Monday, August 31st. Mr. Hult said the meeting for the interviews will begin at 7 p.m. He said the Board will interview all three candidates in one evening. He said each interview should last approximately fifty minutes. The order will be [no specific preference] Brian Connolly at 7:00, Timothy Goddard at 8:00, and Jeff Ritter at 9:00. Mr. Hult suggested a process where each individual will be allowed three minutes to provide an opening statement. After that each Selectmen will ask one or two specific questions. Mr. Hult said the Search Team developed the following categories for the questions. They were: Team-work; Team building; communication; Carlisle Culture versus candidates experience and interest; technical aspects of the position; management style and integrity. Mr. Hult asked Mr. Stevenson and Mr. Scavongelli to choose from the aforementioned list and formulate questions they would ask the candidates. The Board discussed this matter again later in this meeting.

School Building Committee Update

Lee Storrs was present to give the Board an update on the School Building Project. He said as the Board already knew, a fully executed Feasibility Agreement [dated August 11th] was received from MSBA, including the 40% reimbursement. Lee said the next steps were to work with the Architects and the OPM, and get trained on their reimbursement system. Lee said they have received three (3) quotes from surveyors and have made a recommendation to proceed with the low bid. He said they are still waiting to receive the agreements from Daedalus and the surveyor. Lee said over the Summer, the School Building Committee broke into sub-committees to work in specific areas. The committees were as follows: technical subcommittee; design subcommittee; management; and communications.

Lee said the Architects met with the teachers to get their feedback before school closed in June. They will also meet with them when they return in the next week or so. He said they still have not come to an agreement with them in some areas, such as the multi-purpose room.

Lee said as for schedules and timing, a Special Winter Town Meeting did not seem feasible as there are too many things that have to be done. He said they were looking to come up with something that made sense for the Spring Town Meeting.

There was a brief discussion over how the dates of a Town Meeting would affect the date of construction. Mr. Hult asked what the key milestones were in terms of timing that are critical to the project. Lee said by the end of September the Building Committee would like to have a good *schematic diagram* ready for the Board. He said that is at least a month away. He said by that time the teachers would have seen it too.

Liaison Reports

Mr. Hult said at the Financial Management Team this morning it was reported that the work on the Audit was finished. He said it was also reported that the new growth figure is looking very positive. The Assessors are more comfortable about meeting our projected new growth figures, which was good news.

Mr. Hult also said he would like to initiate an effort to revive the long term planning work that was done before. He said this was due partly to the High School project and to the increase in the percentage of students from Carlisle going to the school. Mr. Hult said these two issues will have a direct impact on the Town over the next three years. He said we are also starting to get more information on the High School project. Mr. Hult said the idea is to use the work we did previously, which began to look at this, and integrate

it with the better information we have now. It is important to try to see what the financial picture will be five to seven years from now and how we might manage that. Mr. Hult said he would like to have a small group that would include John Ballantine, a member from the Board of Selectmen, Larry Barton, a high school representative, and a member of the FinCom.

Minutes

On a motion made by Mr. Stevenson and seconded by Mr. Scavongelli, it was **Voted 3-0** to approve the Minutes to the Board of Selectmen meeting of August 11, 2009.

Wind Turbine – Legal Clarification

Mr. Hult said Attorney J. Richard Hucksam was present this evening to give an opinion on where the Town currently stands relative to the ability to regulate wind turbines in Carlisle. Attorney Hucksam said like many Towns, the Carlisle Zoning Bylaws state the use as not being allowed, that is, it is prohibited. So if you look at the zoning by law, the wind turbine is not an allowed use and the only way it can be allowed is as an accessory use. He said then you have to look at the law on accessory uses. Attorney Hucksam said it is highly unlikely that a wind turbine could be allowed as an accessory use, since it does not meet the criteria, which is that it is commonly, habitually or a long term practice. In response to Mr. Hult, Attorney Hucksam said the burden of proof is on the applicant.

Mr. Scavongelli said that it would seem that the Town of Carlisle does not have any enabling legislation to authorize wind turbines. Attorney Hucksam said yes, that seems to be the case, unless we amend the zoning by law to provide for that.

Mr. Scavongelli asked if the Town presently has any ability to authorize wind turbines. Attorney Hucksam said, based on what he knows, in the interest in being thorough, there is a statutory procedure for the enforcement of the zoning bylaw, and the building inspector has to follow these procedures. It would be a very hard thing to do, that is, to have a wind turbine in Carlisle.

Mr. Stevenson said then it seems we are accepting the position and operating with the understanding that wind turbines are not formidable in Carlisle. He added that there seems to be no pressure to create a bylaw to clarify that at this point. Mr. Hult said it makes no sense to create a bylaw until we determine if we want to have wind turbine here. He said there is a group of people who are interested in this issue, but we have to find out if the wind turbines work in this community. Mr. Hult said finding out if they work first is critical.

Decision – Site Plan South Street Realty

Mrs. McKenzie presented the completed Decision for the Site Plan, for the Boards review. The document will be available at the Selectmen's office for the Board to sign.

Goals and Liaisons

Mr. Hult circulated the Goals and Liaisons for Mr. Stevenson and Mr. Scavongelli to review. He asked if there were any changes or additions. Mr. Hult said he added to the Goals - Energy Efficiency to Utilities. He said he also changed the Town Clerk to Town Services.

Mr. Stevenson spoke about technology and the website. It was one of last year's goals and it should remain on the list. He also suggested *improving the land use process- efficiency in permitting*. Mr. Hult asked him to write a sentence or two to insert into the goals.

(Returning to the Town Administrator Search...)

Mr. Stevenson said he would take the Carlisle culture and Candidate Experience areas.

Mr. Scavongelli said he would take the Team work and Communication areas.

Executive Session

At 8:25 p.m. a motion was made by Mr. Stevenson to go into Executive Session, for the purpose of discussing contract negotiations, and not return to open session. The motion was seconded by Mr. Scavongelli and the following roll call vote was taken: Hult – aye, Scavongelli – aye, and Stevenson – aye.

Respectfully submitted by Margaret M. deMare.